

Public Education Information System

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Matt MacPherson

Senate Sponsor:

LONG TITLE**General Description:**

This bill modifies provisions related to student information systems for local education agencies.

Highlighted Provisions:

This bill:

- requires the State Board of Education to procure a statewide student information system;
- allows a local education agency to maintain the agency's own student information system under certain conditions;
- establishes requirements for local education agency-maintained systems;
- establishes enforcement provisions for noncompliance;
- requires audits of certain local education agencies;
- establishes implementation timelines; and
- makes conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:**AMENDS:**

53E-3-301, as last amended by Laws of Utah 2025, Chapter 277

53E-3-511, as last amended by Laws of Utah 2023, Chapters 164, 381

53E-3-518, as last amended by Laws of Utah 2024, Chapters 21, 24

53E-9-303, as last amended by Laws of Utah 2019, Chapter 186

53E-9-308, as last amended by Laws of Utah 2023, Chapters 328, 381

53F-2-205, as last amended by Laws of Utah 2023, Chapter 7

53F-2-311, as last amended by Laws of Utah 2025, Chapter 165

53G-4-402, as last amended by Laws of Utah 2025, First Special Session, Chapter 16

31 **53G-5-404**, as last amended by Laws of Utah 2025, Chapter 501

32 ENACTS:

33 **53E-3-527**, Utah Code Annotated 1953

34 **53E-3-528**, Utah Code Annotated 1953

35

36 *Be it enacted by the Legislature of the state of Utah:*

37 Section 1. Section **53E-3-301** is amended to read:

38 **53E-3-301 . Appointment -- Qualifications -- Duties.**

- 39 (1)(a) The state board shall appoint a state superintendent of public instruction, who is
40 the executive officer of the state board and serves at the pleasure of the state board.
- 41 (b) The state board shall appoint the state superintendent on the basis of outstanding
42 professional qualifications.
- 43 (c) The state superintendent shall administer all programs assigned to the state board in
44 accordance with the policies and the standards established by the state board.
- 45 (2) The state board shall, with the state superintendent, develop a statewide education
46 strategy focusing on core academics, including the development of:
- 47 (a) core standards for Utah public schools and graduation requirements;
- 48 (b) a process to select model instructional materials that best correlate with the core
49 standards for Utah public schools and graduation requirements that are supported by
50 generally accepted scientific standards of evidence;
- 51 (c) professional development programs for teachers, superintendents, and principals;
- 52 (d) model remediation programs;
- 53 (e) a model method for creating individual student learning targets, and a method of
54 measuring an individual student's performance toward those targets;
- 55 (f) progress-based assessments for ongoing performance evaluations of school districts
56 and schools;
- 57 (g) incentives to achieve the desired outcome of individual student progress in core
58 academics that do not create disincentives for setting high goals for the students;
- 59 (h) an annual report card for school and school district performance, measuring learning
60 and reporting progress-based assessments;
- 61 (i) a systematic method to encourage innovation in schools and school districts as each
62 strives to achieve improvement in performance; and
- 63 (j) a method for identifying and sharing best demonstrated practices across school [-]
64 districts and schools.

- (3) The state superintendent shall perform duties assigned by the state board, including:
- (a) investigating all matters pertaining to the public schools;
 - (b) adopting and keeping an official seal to authenticate the state superintendent's official acts;
 - (c) holding and conducting meetings, seminars, and conferences on educational topics;
 - (d) collecting and organizing education data into an automated decision support system to facilitate school district and school improvement planning, accountability reporting, performance recognition, and the evaluation of educational policy and program effectiveness to include:
 - (i) data that are:
 - (A) comparable across schools and school districts;
 - (B) appropriate for use in longitudinal studies; and
 - (C) comprehensive with regard to the data elements required under applicable state or federal law or state board rule;
 - (ii) features that enable users, most particularly school administrators, teachers, and parents, to:
 - (A) retrieve school and school district level data electronically;
 - (B) interpret the data visually; and
 - (C) draw conclusions that are statistically valid; and
 - (iii) procedures for the collection and management of education data that:
 - (A) require the state superintendent to:
 - (I) collaborate with school districts and charter schools in designing and implementing uniform data standards and definitions;
 - (II) undertake or sponsor research to implement improved methods for analyzing education data;
 - (III) provide for data security to prevent unauthorized access to or contamination of the data; and
 - (IV) protect the confidentiality of data under state and federal privacy laws; and
 - (B) require all school districts and schools to comply with the data collection and management procedures established under this Subsection (3)(d);
 - (e) administering and implementing federal educational programs in accordance with Part 8, Implementing Federal or National Education Programs; and
 - (f) with the approval of the state board, preparing and submitting to the governor a budget for the state board to be included in the budget that the governor submits to

the Legislature.

(4) Upon leaving office, the state superintendent shall deliver to the state superintendent's successor all books, records, documents, maps, reports, papers, and other articles pertaining to the state superintendent's office.

(5) Beginning July 1, 2031, the state board shall collect all data required under this section through the statewide student information system established under Section 53E-3-527.

Section 2. Section **53E-3-511** is amended to read:

53E-3-511 . Student Achievement Backpack -- Utah Student Record Store.

(1) As used in this section:

(a) "Authorized LEA user" means a teacher or other person who is:

(i) employed by an LEA that provides instruction to a student; and

(ii) authorized to access data in a Student Achievement Backpack through the Utah Student Record Store.

(b) "Statewide assessment" means the same as that term is defined in Section 53E-4-301.

(c) "Student Achievement Backpack" means, for a student from kindergarten through grade 12, a complete learner profile that:

(i) is in electronic format;

(ii) follows the student from grade to grade and school to school; and

(iii) is accessible by the student's parent or an authorized LEA user.

(d) "Utah Student Record Store" means a repository of student data collected from LEAs as part of the state's longitudinal data system that is:

(i) managed by the state board;

(ii) cloud-based; and

(iii) accessible via a web browser to authorized LEA users.

(2)(a) The state board shall use the state board's robust, comprehensive data collection system, which collects longitudinal student transcript data from LEAs and the unique student identifiers as described in Section 53E-4-308, to allow the following to access a student's Student Achievement Backpack:

(i) the student's parent; and

(ii) each LEA that provides instruction to the student.

(b) The state board shall ensure that a Student Achievement Backpack:

(i) provides a uniform, transparent reporting mechanism for individual student progress;

(ii) provides a complete learner history for postsecondary planning;

- (iii) provides a teacher with visibility into a student's complete learner profile to better inform instruction and personalize education;
- (iv) assists a teacher or administrator in diagnosing a student's learning needs through the use of data already collected by the state board;
- (v) facilitates a student's parent taking an active role in the student's education by simplifying access to the student's complete learner profile; and
- (vi) serves as additional disaster mitigation for LEAs by using a cloud-based data storage and collection system.
- (3) Using existing information collected and stored in the state board's data warehouse, the state board shall create the Utah Student Record Store where an authorized LEA user may:
- (a) access data in a Student Achievement Backpack relevant to the user's LEA or school;
- or
- (b) request student records to be transferred from one LEA to another.
- (4) The state board shall implement security measures to ensure that:
- (a) student data stored or transmitted to or from the Utah Student Record Store is secure and confidential pursuant to the requirements of the Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g;
- (b) an authorized LEA user may only access student data that is relevant to the user's LEA or school; and
- (c) except as provided in Section 53E-9-308, an authorized LEA user shares only aggregate or de-identified data.
- (5) A student's parent may request the student's Student Achievement Backpack from the LEA or the school in which the student is enrolled.
- (6) An authorized LEA user may access student data in a Student Achievement Backpack, which shall include the following data, or request that the data be transferred from one LEA to another:
- (a) student demographics;
- (b) course grades;
- (c) course history; and
- (d) results of a statewide assessment.
- (7) An authorized LEA user may access student data in a Student Achievement Backpack, which shall include the data listed in Subsections (6)(a) through (d) and the following data, or request that the data be transferred from one LEA to another:

- (a) section attendance;
- (b) the name of a student's teacher for classes or courses the student takes;
- (c) teacher qualifications for a student's teacher, including years of experience, degree, license, and endorsement;
- (d) results of statewide assessments;
- (e) a student's writing sample that is written for a writing assessment administered pursuant to Section 53E-4-303;
- (f) student growth scores on a statewide assessment, as applicable;
- (g) a school's performance as reported in accordance with Chapter 5, Part 2, School Accountability System;
- (h) results of benchmark assessments of reading administered pursuant to Section 53E-4-307; and
- (i) a student's reading level at the end of grade 3.

(8) ~~[No later than July 1, 2024, the]~~ The state board shall ensure that data collected in the Utah Student Record Store for a Student Achievement Backpack is integrated into each LEA's student information system and is made available to a student's parent and an authorized LEA user in an easily accessible viewing format.

(9) Beginning July 1, 2031:

- (a) the state board shall maintain all Student Achievement Backpack data within the statewide student information system established under Section 53E-3-527; and
- (b) an LEA shall access Student Achievement Backpack data through the statewide student information system established under Section 53E-3-527 or through an LEA-maintained system that meets the requirements of Section 53E-3-528.

Section 3. Section **53E-3-518** is amended to read:

53E-3-518 . Utah school information management system -- Local education agency requirements.

(1) As used in this section:

- (a) "LEA data system" or "LEA's data system" means a data system that:
 - (i) is developed, selected, or relied upon by an LEA; and
 - (ii) the LEA uses to collect data or submit data to the state board related to:
 - (A) student information;
 - (B) educator information;
 - (C) financial information; or
 - (D) other information requested by the state board.

- (b) "LEA financial information system" or "LEA's financial information system" means an LEA data system used for financial information.
- (c) "Parent" means the same as that term is defined in Section 53G-6-201.
- (d) "Utah school information management system" or "information management system" means the state board's data collection and reporting system described in this section.
- (e) "User" means an individual who has authorized access to the information management system.
- (2) ~~[On or before July 1, 2024, the]~~ The state board shall have in place an information management system that meets the requirements described in this section.
- (3) The state board shall ensure that the information management system:
- (a) interfaces with:
 - (i) an LEA's data systems that meet the requirements described in Subsection (7);
 - (ii) where appropriate, the systems described in Subsections 53-10-302(7) and (8);
and
 - (iii) the public safety portal described in Section 63A-16-1002; ~~[and]~~
 - (b) serves as the mechanism for the state board to collect and report on all data that LEAs submit to the state board related to:
 - (i) student information;
 - (ii) educator information;
 - (iii) financial information; and
 - (iv) other information requested by the state board;
 - (c) includes a web-based user interface through which a user may:
 - (i) enter data;
 - (ii) view data; and
 - (iii) generate customizable reports;
 - (d) includes a data warehouse and other hardware or software necessary to store or process data submitted by an LEA;
 - (e) provides for data privacy, including by complying with Chapter 9, Student Privacy and Data Protection;
 - (f) restricts user access based on each user's role; and
 - (g) meets requirements related to a student achievement backpack described in Section 53E-3-511.
- (4) ~~[On or before January 31, 2026, the]~~ The state board shall:

- (a) ensure the information management system described in this section allows for the transfer of a student's transcript, current IEP, or Section 504 accommodation plan, including the tracking of necessary accommodations and services between:
- (i) different LEA student information systems; and
 - (ii) an authorized online course provider and a primary LEA; and
- (b) ensure the transfer capability described in Subsection (4)(a) is available for the same use within the operating system the state board uses for the Statewide Online Education Program described in Title 53F, Chapter 4, Part 5, Statewide Online Education Program.

(5) The state board shall establish the restrictions on user access described in Subsection (3)(f).

(6)(a) The state board shall make rules that establish the required capabilities for an LEA financial information system.

(b) In establishing the required capabilities for an LEA financial information system, the state board shall consider metrics and capabilities requested by the state treasurer or state auditor.

(7)(a) ~~[On or before July 1, 2024, an]~~ An LEA shall ensure that:

(i) all of the LEA's data systems:

(A) meet the data standards established by the state board in accordance with Section 53E-3-501;

(B) are fully compatible with the state board's information management system; and

(C) meet specification standards determined by the state board; and

(ii) the LEA's financial information system meets the requirements described in Subsection (6).

(b) An LEA shall ensure that an LEA data system purchased or developed on or after May 14, 2019, will be compatible with the information management system when the information management system is fully operational.

(8)(a) Subject to appropriations and Subsection (8)(b), the state board may use an appropriation under this section to help an LEA meet the requirements in the rules described in Subsection (6) by:

(i) providing to the LEA funding for implementation and sustainment of the LEA financial information system, either through:

(A) awarding a grant to the LEA; or

- 269 (B) providing a reimbursement to the LEA; or
- 270 (ii) in accordance with Title 63G, Chapter 6a, Utah Procurement Code, procuring a
- 271 financial information system on behalf of an LEA for the LEA to use as the LEA's
- 272 financial information system.
- 273 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 274 state board shall make rules describing:
- 275 (i) how an LEA may apply to the state board for the assistance described in
- 276 Subsection (8)(a); and
- 277 (ii) criteria for the state board to provide the assistance to an LEA.
- 278 (9)(a) ~~[Beginning July 1, 2024, the]~~ The state board may take action against an LEA that
- 279 is out of compliance with a requirement described in Subsection (7) until the LEA
- 280 complies with the requirement.
- 281 (b) An action described in Subsection (9)(a) may include the state board withholding
- 282 funds from the LEA.
- 283 (10)(a) For purposes of this Subsection (10), "education record" means the same as that
- 284 term is defined in 20 U.S.C. Sec. 1232g.
- 285 (b) The state board shall, by rule made in accordance with Title 63G, Chapter 3, Utah
- 286 Administrative Rulemaking Act, establish a procedure under which:
- 287 (i) a parent may submit information as part of the education records for the parent's
- 288 student;
- 289 (ii) the information submitted by the parent is maintained as part of the education
- 290 records for the parent's student;
- 291 (iii) information submitted by the parent and maintained as part of the education
- 292 records for the parent's student may be removed at the request of the parent; and
- 293 (iv) a parent has access only to the education records of the parent's student in
- 294 accordance with Subsection (10)(d).
- 295 (c) The rules made under this Subsection (10) shall allow a parent to submit or remove
- 296 information submitted by the parent under this Subsection (10) at least annually,
- 297 including at the time of:
- 298 (i) registering a student in a school; or
- 299 (ii) changing the school in which a student attends.
- 300 (d) Subject to the federal Family ~~[Education]~~ Educational Rights and Privacy Act, 20
- 301 U.S.C. Sec. 1232g, and related regulations, the state board shall provide a parent
- 302 access to an education record concerning the parent's student.

- (e) The state board shall create in the information management system a record tracking interoperability of education records described in this Subsection (10) when a student is transitioning between schools or between LEAs.

(11) Beginning July 1, 2031:

- (a) the state board shall integrate the system described in this section with the statewide student information system established under Section 53E-3-527; and
- (b) the state board shall ensure that the statewide student information system maintains all functionality described in this section.

(12) An LEA requirement to submit data under this section is satisfied through the LEA's use of the statewide student information system established under Section 53E-3-527 or through an LEA-maintained system that meets the requirements of Section 53E-3-528.

Section 4. Section **53E-3-527** is enacted to read:

53E-3-527 . Statewide student information system -- Requirements --

Implementation -- Transition -- Severability.

(1) As used in this section:

- (a) "Integration standards" means the technical requirements that the board establishes to allow an LEA-maintained system to connect with the statewide student information system.
- (b) "Legacy system" means a student information system that an LEA uses on the effective date of this section.
- (c) "Statewide student information system" or "statewide SIS" means the single student information system that the board selects and maintains under this section.
- (d) "Student data" means the same as that term is defined in Section 53E-9-301.
- (e) "USIMS compliant" means meeting all data transmission requirements that the Utah Student Information Management System establishes.

(2)(a) The state board shall procure a single statewide student information system in accordance with Title 63G, Chapter 6a, Utah Procurement Code.

- (b) The state board shall subsidize the cost of the statewide student information system for each LEA that uses the statewide student information system.

(c) An LEA that uses the statewide student information system may not be charged by the state board for:

- (i) basic system access and usage;
- (ii) standard training and support;
- (iii) required reports and data extracts; and

(iv) a system update that law or regulation mandates.

(3) Beginning July 1, 2031, each LEA shall use the statewide student information system for all student data collection, management, and reporting functions that state or federal law requires, unless the LEA maintains an LEA-maintained system under Section 53E-3-528.

(4) In procuring the statewide student information system under Subsection (2)(a), the state board shall:

(a) include input from a stakeholder advisory committee established under Section 53E-3-528;

(b) evaluate vendor proposals based on criteria that the stakeholder advisory committee establishes;

(c) consider the total cost of ownership over a 10-year period;

(d) ensure vendor compliance with all state and federal data privacy requirements; and

(e) consider systems currently in use by LEAs in the state.

(5)(a) The state board shall establish a phased implementation schedule that:

(i) begins no earlier than July 1, 2028;

(ii) provides each LEA at least 24 months to complete the transition to the statewide student information system or to establish an LEA-maintained system under Section 53E-3-528;

(iii) prioritizes voluntary early adopters;

(iv) considers LEA size and technical capacity; and

(v) ensures full statewide implementation by July 1, 2031.

(b) An LEA contract for a student information system in effect on May 7, 2026, remains valid until the earlier of:

(i) the contract's expiration date;

(ii) July 1, 2031; or

(iii) the day on which the LEA voluntarily transitions to the statewide SIS.

(c) An LEA may renew an existing contract for a student information system one time after May 7, 2026, if:

(i) the renewal term does not extend beyond June 30, 2031;

(ii) the LEA notifies the state board of the renewal within 30 days after the day on which the LEA renews the contract; and

(iii) the renewal is necessary to avoid disruption of operations.

(d) An LEA may request an implementation extension of up to 12 months if the LEA

demonstrates:

- (i) extraordinary circumstances beyond the LEA's control;
- (ii) a detailed transition plan with specific milestones;
- (iii) commitment of necessary resources to meet the extended deadline; and
- (iv) that denial of the extension would cause substantial disruption to the LEA's educational programs.

(e) The state board shall provide:

- (i) data migration services at no cost to an LEA transitioning from a legacy system to the statewide student information system;
- (ii) training resources available to LEA staff at least 12 months before the day on which the LEA is required to implement the statewide student information system or establish an LEA-maintained system under Section 53E-3-528;
- (iii) parallel run capabilities allowing an LEA to operate both the LEA's existing system and the statewide student information system simultaneously for at least 90 days; and
- (iv) data validation services to ensure accurate migration of all student records.

(6) The statewide student information system that the state board procures shall:

- (a) maintain all student demographic, enrollment, and academic records;
- (b) track attendance, grades, and course completion;
- (c) generate all reports that state and federal law requires;
- (d) support scheduling and course management;
- (e) provide transcript generation and electronic transfer capabilities;
- (f) enable seamless student transfers between an LEA and another LEA without manual data entry;
- (g) maintain historical data for longitudinal analysis;
- (h) be fully USIMS compliant;
- (i) provide real-time data synchronization with state board systems;
- (j) support automated data validation and error checking;
- (k) enable role-based access controls;
- (l) maintain an audit log of all data changes;
- (m) support data exports in standard formats;
- (n) provide application programming interfaces for approved third-party integrations;
- (o) include online student registration;
- (p) provide parent and guardian portal access;

- (q) include digital consent form management;
- (r) ensure mobile device compatibility;
- (s) provide multi-language support;
- (t) integrate with:
 - (i) special education IEP management systems;
 - (ii) student health information systems;
 - (iii) school safety and student behavior tracking systems;
 - (iv) learning management systems;
 - (v) assessment platforms;
 - (vi) early warning and intervention systems;
 - (vii) transportation management systems;
 - (viii) food service systems; and
 - (ix) financial management systems; and
- (u) eliminate the need for manual data transmission for state and federal reporting.

(7)(a) The state board shall use money appropriated by the Legislature for:

- (i) initial system procurement and implementation;
- (ii) ongoing licensing and maintenance costs;
- (iii) technical support and training;
- (iv) system updates and enhancements; and
- (v) integration support for a qualifying LEA-maintained system under Section 53E-3-528.

- (b) Beginning in fiscal year 2029, the Legislature shall appropriate sufficient ongoing funds to maintain the statewide student information system.

(8)(a) All data in the statewide student information system remains the property of the respective LEA.

- (b) The state board may access LEA data only to:

- (i) generate reports that state and federal law requires;
- (ii) provide technical support;
- (iii) ensure data quality and compliance;
- (iv) conduct authorized research and analysis;
- (v) facilitate student transfers between an LEA and another LEA; or
- (vi) perform functions specifically authorized by law.

- (c) The statewide SIS shall comply with all requirements of:

- (i) the Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g;

- 439 (ii) Title 53E, Chapter 9, Student Privacy and Data Protection;
440 (iii) Title 63G, Chapter 2, Government Records Access and Management Act; and
441 (iv) all other applicable privacy laws and regulations.
- 442 (9) Upon request, the state board shall report to the Education Interim Committee on:
443 (a) system implementation progress;
444 (b) costs and savings realized;
445 (c) improvements in data quality and timelines;
446 (d) reduction in administrative burden at each LEA;
447 (e) user satisfaction metrics;
448 (f) system performance and reliability; and
449 (g) recommendations for system improvements or statutory changes.
- 450 (10) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
451 state board may make rules to implement this section, including rules that:
452 (a) establish technical specifications for the statewide SIS;
453 (b) define integration standards for LEA-maintained systems under Section 53E-3-528;
454 (c) create implementation timelines and procedures; and
455 (d) establish data governance policies.
- 456 Section 5. Section **53E-3-528** is enacted to read:
457 **53E-3-528 . LEA-maintained student information system -- Requirements**
458 **--Enforcement -- Audits.**
- 459 (1) As used in this section:
460 (a) "Integration standards" means the technical requirements that the state board
461 establishes to allow an LEA-maintained system to connect with the statewide student
462 information system.
463 (b) "LEA head" means:
464 (i) for a school district, the superintendent of the school district; or
465 (ii) for a charter school, the director of the charter school.
466 (c) "LEA-maintained system" means a student information system that an LEA develops
467 and maintains.
468 (d) "Statewide student information system" or "statewide SIS" means the same as that
469 term is defined in Section 53E-3-527.
- 470 (2)(a) An LEA may maintain an LEA-maintained system for student data collection,
471 management, and reporting if the LEA meets all requirements of this section.
472 (b) An LEA that maintains an LEA-maintained system:

- 473 (i) shall ensure that all student data in the LEA-maintained system reconciles with
474 and matches the data standards established by the state board in accordance with
475 Section 53E-3-501;
- 476 (ii) is responsible for all costs associated with maintaining, integrating, and ensuring
477 compliance of the LEA-maintained system;
- 478 (iii) is responsible for ensuring that the LEA-maintained system interfaces properly
479 with the statewide student information system; and
- 480 (iv) is responsible for all data reconciliation and data quality assurance for the
481 LEA-maintained system.
- 482 (c) The state board is not responsible for cleaning, reconciling, or correcting data from
483 an LEA-maintained system.
- 484 (3) The state board shall establish and maintain integration standards that:
- 485 (a) define required data elements and formats;
- 486 (b) specify synchronization frequency and methods;
- 487 (c) establish error handling procedures;
- 488 (d) ensure data consistency and integrity; and
- 489 (e) maintain compliance with all privacy and security requirements.
- 490 (4) An LEA-maintained system shall:
- 491 (a) meet all integration standards that the state board establishes under Subsection (3);
- 492 (b) synchronize data with the statewide SIS automatically in real-time without manual
493 intervention;
- 494 (c) ensure that student transfers and transcript exchanges function seamlessly through
495 the statewide SIS;
- 496 (d) ensure that all state and federal reporting occurs through the statewide SIS;
- 497 (e) undergo annual certification of integration compliance;
- 498 (f) remediate any integration issue within 30 days after the day on which the state board
499 provides notice of the integration issue; and
- 500 (g) ensure that the LEA-maintained system does not impair the functionality or
501 performance of the statewide SIS.
- 502 (5)(a) Beginning August 1, 2031, if an LEA that maintains an LEA-maintained system
503 fails to comply with a requirement of this section, the state board shall:
- 504 (i) provide written notice to the LEA describing the noncompliance; and
- 505 (ii) allow the LEA 90 days after the day on which the state board provides the notice
506 described in Subsection (5)(a)(i) to cure the noncompliance.

(b) If the LEA fails to cure the noncompliance within the time period described in Subsection (5)(a)(ii), the state board shall:

(i) reduce the compensation of the LEA head by 10%; and

(ii) allow the LEA an additional 90 days after the day on which the state board reduces the compensation of the LEA head to cure the noncompliance.

(c) If the LEA fails to cure the noncompliance within the time period described in Subsection (5)(b)(ii), the state board shall:

(i) notify the LEA that the LEA no longer qualifies to maintain an LEA-maintained system; and

(ii) require the LEA to transition fully to the statewide SIS within six months after the day on which the state board provides the notice described in Subsection (5)(c)(i).

(d) The state board shall establish an appeals process for an LEA subject to an enforcement action under this Subsection (5).

(6)(a) The Office of the Legislative Auditor General shall, when conducting a performance audit of an LEA that maintains an LEA-maintained system, audit the LEA's compliance with:

(i) the data standards established by the state board in accordance with Section 53E-3-501;

(ii) the integration standards established under Subsection (3); and

(iii) all requirements of this section.

(b) The Office of the Legislative Auditor General shall report to the Education Interim Committee the results of an audit described in Subsection (6)(a).

(7) An LEA that is unable to maintain an LEA-maintained system in compliance with this section shall transition fully to the statewide SIS within the time period specified by the state board.

Section 6. Section **53E-9-303** is amended to read:

53E-9-303 . Local student data protection governance.

(1) An LEA shall adopt policies to protect student data in accordance with this part and state board rule, taking into account the specific needs and priorities of the LEA.

(2)(a) An LEA shall designate an individual to act as a student data manager to fulfill the responsibilities of a student data manager described in Section 53E-9-308.

(b) If possible, an LEA shall designate the LEA's records officer as defined in Section 63G-2-103, as the student data manager.

(3) An LEA shall create and maintain an LEA:

(a) data governance plan; and

(b) metadata dictionary.

(4) An LEA shall establish an external research review process for a request for data for the purpose of external research or evaluation.

(5) Beginning July 1, 2031, a student data manager designated under this section shall:

(a) ensure the LEA's compliance with data governance policies for the statewide student information system established under Section 53E-3-527 or the LEA-maintained system established under Section 53E-3-528; and

(b) serve as the LEA's primary contact for statewide SIS data management issues or, if applicable, LEA-maintained system data management issues.

Section 7. Section **53E-9-308** is amended to read:

53E-9-308 . Sharing student data -- Prohibition -- Requirements for student data manager -- Authorized student data sharing.

(1)(a) Except as provided in Subsection (1)(b), an education entity, including a student data manager, may not:

(i) share personally identifiable student data without written consent; or

(ii) share student data with a federal agency.

(b) An education entity, including a student data manager, may share personally identifiable student data:

(i) in accordance with the Family Education Rights and Privacy Act and related provisions under 20 U.S.C. Secs. 1232g and 1232h;

(ii) as required by federal law; and

(iii) as described in Subsections (3), (5), and (6).

(2) A student data manager shall:

(a) authorize and manage the sharing, outside of the student data manager's education entity, of personally identifiable student data for the education entity as described in this section;

(b) act as the primary local point of contact for the state student data officer described in Section 53E-9-302; ~~and~~

(c) fulfill other responsibilities described in the data governance plan of the student data manager's education entity[-] ; and

(d) beginning July 1, 2031, ensure proper use of the statewide student information system established under Section 53E-3-527 or the LEA-maintained system established under Section 53E-3-528 within the LEA.

- (3) A student data manager may share a student's personally identifiable student data with a caseworker or representative of the Department of Health and Human Services if:
- (a) the Department of Health and Human Services is:
 - (i) legally responsible for the care and protection of the student, including the responsibility to investigate a report of educational neglect, as provided in Subsection 80-2-701(5); or
 - (ii) providing services to the student;
 - (b) the student's personally identifiable student data is not shared with a person who is not authorized:
 - (i) to address the student's education needs; or
 - (ii) by the Department of Health and Human Services to receive the student's personally identifiable student data; and
 - (c) the Department of Health and Human Services maintains and protects the student's personally identifiable student data.
- (4) The Department of Health and Human Services, a school official, or the Utah Juvenile Court may share personally identifiable student data to improve education outcomes for youth:
- (a) in the custody of, or under the guardianship of, the Department of Health and Human Services;
 - (b) receiving services from the Division of Juvenile Justice and Youth Services;
 - (c) in the custody of the Division of Child and Family Services;
 - (d) receiving services from the Division of Services for People with Disabilities; or
 - (e) under the jurisdiction of the Utah Juvenile Court.
- (5)(a) A student data manager may share personally identifiable student data in response to a subpoena issued by a court.
- (b) A person who receives personally identifiable student data under Subsection (5)(a) may not use the personally identifiable student data outside of the use described in the subpoena.
- (6)(a) A student data manager may share student data, including personally identifiable student data, in response to a request to share student data for the purpose of research or evaluation, if the student data manager:
- (i) verifies that the request meets the requirements of 34 C.F.R. Sec. 99.31(a)(6);
 - (ii) submits the request to the education entity's research review process; and
 - (iii) fulfills the instructions that result from the review process.

(b)(i) In accordance with state and federal law, and subject to Subsection (6)(b)(ii), the state board shall share student data, including personally identifiable student data, as requested by the Utah Registry of Autism and Developmental Disabilities described in Section 26B-7-115.

(ii)(A) At least 30 days before the state board shares student data in accordance with Subsection (6)(b)(i), the education entity from which the state board received the student data shall provide notice to the parent of each student for which the state board intends to share student data.

(B) The state board may not, for a particular student, share student data as described in Subsection (6)(b)(i) if the student's parent requests that the state board not share the student data.

(iii) A person who receives student data under Subsection (6)(b)(i):

(A) shall maintain and protect the student data in accordance with state board rule described in Section 53E-9-307;

(B) may not use the student data for a purpose not described in Section 26B-7-115; and

(C) is subject to audit by the state student data officer described in Section 53E-9-302.

Section 8. Section **53F-2-205** is amended to read:

53F-2-205 . Powers and duties of state board to adjust Minimum School Program allocations -- Use of remaining funds at the end of a fiscal year.

(1) As used in this section:

(a) "ESEA" means the Elementary and Secondary Education Act of 1965, 20 U.S.C. Sec. 6301 et seq.

(b) "Program" means a program or allocation funded by a line item appropriation or other appropriation designated as:

(i) Basic Program;

(ii) Related to Basic Programs;

(iii) Voted and Board Levy Programs; or

(iv) Minimum School Program.

(2) Except as provided in Subsection (3) or (5), if the number of weighted pupil units in a program is underestimated, the state board shall reduce the value of the weighted pupil unit in that program so that the total amount paid for the program does not exceed the amount appropriated for the program.

- (3) If the number of weighted pupil units in a program is overestimated, the state board shall spend excess money appropriated for the following purposes giving priority to the purpose described in Subsection (3)(a):
- (a) to support the value of the weighted pupil unit in a program within the basic state-supported school program in which the number of weighted pupil units is underestimated;
 - (b) to support the state guaranteed local levy increments as defined in Section 53F-2-601, if:
 - (i) local contributions to the voted local levy program or board local levy program are overestimated; or
 - (ii) the number of weighted pupil units within school districts qualifying for a guarantee is underestimated;
 - (c) to support the state supplement to local property taxes allocated to charter schools, if the state supplement is less than the amount prescribed by Section 53F-2-704;
 - (d) to fund the cost of the salary supplements described in Section 53F-2-504; or
 - (e) to support a school district with a loss in student enrollment as provided in Section 53F-2-207.
- (4) If local contributions from the minimum basic tax rate imposed under Section 53F-2-301 are overestimated, the state board shall reduce the value of the weighted pupil unit for all programs within the basic state-supported school program so the total state contribution to the basic state-supported school program does not exceed the amount of state funds appropriated.
- (5) If local contributions from the minimum basic tax rate imposed under Section 53F-2-301 are underestimated, the state board shall:
- (a) spend the excess local contributions for the purposes specified in Subsection (3), giving priority to supporting the value of the weighted pupil unit in programs within the basic state-supported school program in which the number of weighted pupil units is underestimated; and
 - (b) reduce the state contribution to the basic state-supported school program so the total cost of the basic state-supported school program does not exceed the total state and local funds appropriated to the basic state-supported school program plus the local contributions necessary to support the value of the weighted pupil unit in programs within the basic state-supported school program in which the number of weighted pupil units is underestimated.

- (6) Except as provided in Subsection (3) or (5), the state board shall reduce the state guarantee per weighted pupil unit provided under the local levy state guarantee program described in Section 53F-2-601, if:
- (a) local contributions to the voted local levy program or board local levy program are overestimated; or
 - (b) the number of weighted pupil units within school districts qualifying for a guarantee is underestimated.
- (7) Money appropriated to the state board is nonlapsing, including appropriations to the Minimum School Program and all agencies, line items, and programs under the jurisdiction of the state board.
- (8) The state board shall report actions taken by the state board under this section to the Office of the Legislative Fiscal Analyst and the Governor's Office of Planning and Budget.
- (9) Beginning with the 2031-32 school year:
- (a) the state board shall calculate all distribution amounts under this section using data from the statewide student information system established under Section 53E-3-527 or an LEA-maintained system that meets the requirements of Section 53E-3-528; and
 - (b) an LEA's failure to properly maintain data in the statewide SIS or an LEA-maintained system may result in adjustment of the LEA's funding allocation.
- Section 9. Section **53F-2-311** is amended to read:
- 53F-2-311 . Weighted pupil units for career and technical education programs -- Funding of approved programs -- Performance measures -- Qualifying criteria.**
- (1)(a) Money appropriated to the state board for approved career and technical education programs and the comprehensive guidance program:
- (i) shall be allocated to eligible recipients as provided in Subsections (2), (3), and (4); and
 - (ii) may not be used to fund programs below grade 9.
- (b) Subsection (1)(a)(ii) does not apply to the following programs:
- (i) comprehensive guidance; and
 - (ii) work-based learning programs.
- (2)(a) Weighted pupil units are computed for pupils in approved programs.
- (b)(i) The state board shall fund approved programs based upon hours of membership of grades 9 through 12 students.
 - (ii) Subsection (2)(b)(i) does not apply to the following programs:

- 711 (A) comprehensive guidance; and
712 (B) work-based learning programs.
- 713 (c) The state board shall use an amount not to exceed 20% of the total appropriation
714 under this section to fund approved programs based on performance measures such
715 as placement and competency attainment defined in standards set by the state board.
- 716 (d) The state board shall make the necessary calculations for distribution of the
717 appropriation to a school district and charter school and may revise and recommend
718 changes necessary for achieving equity and ease of administration.
- 719 (3)(a) Twenty weighted pupil units shall be computed for career and technical education
720 administrative costs for each school district, except 25 weighted pupil units may be
721 computed for each school district that consolidates career and technical education
722 administrative services with one or more other school districts.
- 723 (b) Between 10 and 25 weighted pupil units shall be computed for each high school
724 conducting approved career and technical education programs in a school district
725 according to standards established by the state board.
- 726 (c) Forty weighted pupil units shall be computed for each school district that operates an
727 approved career and technical education center.
- 728 (d) Between five and seven weighted pupil units shall be computed for each summer
729 career and technical education agriculture program according to standards established
730 by the state board.
- 731 (e) The state board shall, by rule, establish qualifying criteria for a school district or
732 charter school to receive weighted pupil units under this Subsection (3).
- 733 (4)(a) Money remaining after the allocations made under Subsections (2) and (3) shall
734 be allocated using average daily membership in approved programs for the previous
735 year.
- 736 (b) A school district or charter school that has experienced student growth in grades 9
737 through 12 for the previous year shall have the growth factor applied to the previous
738 year's weighted pupil units when calculating the allocation of money under this
739 Subsection (4).
- 740 (c) An LEA may use funds received through the general allocation described in this
741 Subsection (4) for Technology-Life-Careers and student leadership organizations.
- 742 (5)(a) The state board shall establish rules for upgrading high school career and
743 technical education programs.
- 744 (b) The rules shall reflect career and technical training and actual marketable job skills

745 in society.

746 (c) The rules shall include procedures to assist school districts and charter schools to
747 convert existing programs that are not preparing students for the job market into
748 programs that will accomplish that purpose.

749 (6) Programs that do not meet state board standards may not be funded under this section.

750 (7) Beginning July 1, 2031, the state board shall:

751 (a) track career and technical education enrollment through the statewide student
752 information system established under Section 53E-3-527 or an LEA-maintained
753 system that meets the requirements of Section 53E-3-528; and

754 (b) calculate weighted pupil units under this section using data from the statewide SIS or
755 an LEA-maintained system that meets the requirements of Section 53E-3-528.

756 Section 10. Section **53G-4-402** is amended to read:

757 **53G-4-402 . Powers and duties generally.**

758 (1) A local school board shall:

759 (a) implement the core standards for Utah public schools using instructional materials
760 that best correlate to the core standards for Utah public schools and graduation
761 requirements;

762 (b) administer tests, required by the state board, which measure the progress of each
763 student, and coordinate with the state superintendent and state board to assess results
764 and create plans to improve the student's progress, which shall be submitted to the
765 state board for approval;

766 (c) use progress-based assessments as part of a plan to identify schools, teachers, and
767 students that need remediation and determine the type and amount of federal, state,
768 and local resources to implement remediation;

769 (d) for each grading period and for each course in which a student is enrolled, issue a
770 grade or performance report to the student:

771 (i) that reflects the student's work, including the student's progress based on mastery,
772 for the grading period; and

773 (ii) in accordance with the local school board's adopted grading or performance
774 standards and criteria;

775 (e) develop early warning systems for students or classes failing to make progress;

776 (f) work with the state board to establish a library of documented best practices,
777 consistent with state and federal regulations, for use by the special districts;

778 (g) implement training programs for school administrators, including basic management

- 779 training, best practices in instructional methods, budget training, staff management,
780 managing for learning results and continuous improvement, and how to help every
781 student achieve optimal learning in basic academic subjects; [~~and~~]
- 782 (h) ensure that the local school board meets the data collection and reporting standards
783 described in Section 53E-3-501[:]; and
- 784 (i) beginning July 1, 2031, ensure that all schools within the school district properly use
785 the statewide student information system established under Section 53E-3-527 or an
786 LEA-maintained system that meets the requirements of Section 53E-3-528.
- 787 (2) Local school boards shall spend Minimum School Program funds for programs and
788 activities for which the state board has established minimum standards or rules under
789 Section 53E-3-501.
- 790 (3)(a) A local school board may purchase, sell, and make improvements on school sites,
791 buildings, and equipment, and construct, erect, and furnish school buildings.
- 792 (b) School sites or buildings may only be conveyed or sold on local school board
793 resolution affirmed by at least two-thirds of the school board members.
- 794 (4)(a) A local school board may participate in the joint construction or operation of a
795 school attended by students residing within the district and students residing in other
796 districts either within or outside the state.
- 797 (b) Any agreement for the joint operation or construction of a school shall:
- 798 (i) be signed by the president of the local school board of each participating district;
799 (ii) include a mutually agreed upon pro rata cost; and
800 (iii) be filed with the state board.
- 801 (5) A local school board may establish, locate, and maintain elementary, secondary, and
802 applied technology schools.
- 803 (6) A local school board may enter into cooperative agreements with other local school
804 boards to provide educational services that best utilize resources for the overall
805 operation of the school districts, including shared transportation services.
- 806 (7) A local school board shall ensure that an agreement under Subsection (6):
- 807 (a) is signed by the president of the local school board of each participating district;
808 (b) specifies the resource being shared;
809 (c) includes a mutually agreed upon pro rata cost;
810 (d) includes the duration of the agreement; and
811 (e) is filed with the state board.
- 812 (8)(a) Except as provided in Section 53E-3-905 and Subsection (8)(b), a local school

board may enroll children in school who are at least five years old before September 2 of the year in which admission is sought.

(b) A local school board may enroll a child in kindergarten who does not meet the age requirement described in Subsection (8)(a) if the child:

(i) moves to Utah from a different state in which the child, during the relevant school year:

(A) was a resident; and

(B) was enrolled in kindergarten in accordance with the previous state's age requirements for kindergarten enrollment; and

(ii) transfers to the enrolling school after the beginning of the same school year.

(9) A local school board:

(a) may establish and support school libraries; and

(b) shall provide an online platform:

(i) through which a parent is able to view the title, author, and a description of any material the parent's child borrows from the school library, including a history of borrowed materials, either using an existing online platform that the LEA uses or through a separate platform; and

(ii)(A) for a school district with 1,000 or more enrolled students, no later than August 1, 2024; and

(B) for a school district with fewer than 1,000 enrolled students, no later than August 1, 2026.

(10) A local school board may collect damages for the loss, injury, or destruction of school property.

(11) A local school board may authorize guidance and counseling services for students and the student's parents before, during, or following school enrollment.

(12)(a) A local school board shall administer and implement federal educational programs in accordance with Title 53E, Chapter 3, Part 8, Implementing Federal or National Education Programs.

(b) Federal funds are not considered funds within the school district budget under Chapter 7, Part 3, Budgets.

(13)(a) A local school board may organize school safety patrols and adopt policies under which the patrols promote student safety.

(b) A student appointed to a safety patrol shall be at least 10 years old and have written parental consent for the appointment.

(c) Safety patrol members may not direct vehicular traffic or be stationed in a portion of a highway intended for vehicular traffic use.

(d) Liability may not attach to a school district, its employees, officers, or agents, or to a safety patrol member, a parent of a safety patrol member, or an authorized volunteer assisting the program by virtue of the organization, maintenance, or operation of a school safety patrol.

(14)(a) A local school board may on its own behalf, or on behalf of an educational institution for which the local school board is the direct governing body, accept private grants, loans, gifts, endowments, devises, or bequests that are made for educational purposes.

(b) The contributions made under Subsection (14)(a) are not subject to appropriation by the Legislature.

(15)(a) A local school board may appoint and fix the compensation of a compliance officer to issue citations for violations of Subsection 76-9-1106(3)(c).

(b) A person may not be appointed to serve as a compliance officer without the person's consent.

(c) A teacher or student may not be appointed as a compliance officer.

(16) A local school board shall adopt bylaws and policies for the local school board's own procedures.

(17)(a) A local school board shall make and enforce policies necessary for the control and management of the district schools.

(b) Local school board policies shall be in writing, filed, and referenced for public access.

(18) A local school board may hold school on legal holidays other than Sundays.

(19)(a) A local school board shall establish for each school year a school traffic safety committee to implement this Subsection (19).

(b) The committee shall be composed of one representative of:

(i) the schools within the district;

(ii) the Parent Teachers' Association of the schools within the district;

(iii) the municipality or county;

(iv) state or local law enforcement; and

(v) state or local traffic safety engineering.

(c) The committee shall:

(i) receive suggestions from school community councils, parents, teachers, and

- 881 others, and recommend school traffic safety improvements, boundary changes to
882 enhance safety, and school traffic safety program measures;
- 883 (ii) review and submit annually to the Department of Transportation and affected
884 municipalities and counties a child access routing plan for each elementary,
885 middle, and junior high school within the district;
- 886 (iii) in consultation with the Utah Safety Council and the Division of Family Health,
887 provide training to all students in kindergarten through grade 6, within the district,
888 on school crossing safety and use; and
- 889 (iv) help ensure the district's compliance with rules made by the Department of
890 Transportation under Section 41-6a-303.
- 891 (d) The committee may establish subcommittees as needed to assist in accomplishing the
892 committee's duties under Subsection (19)(c).
- 893 (20)(a) A local school board shall adopt and implement a comprehensive emergency
894 response plan to prevent and combat violence in the local school board's public
895 schools, on school grounds, on school vehicles, and in connection with
896 school-related activities or events.
- 897 (b) The local school board shall ensure that the plan:
- 898 (i) includes prevention, intervention, and response components;
- 899 (ii) is consistent with the school discipline and conduct policies required for school
900 districts under Chapter 8, Part 2, School Discipline and Conduct Plans;
- 901 (iii) requires professional learning for all district and school building staff on the
902 staff's roles in the emergency response plan;
- 903 (iv) provides for coordination with local law enforcement and other public safety
904 representatives in preventing, intervening, and responding to violence in the areas
905 and activities referred to in Subsection (20)(a); and
- 906 (v) includes procedures to notify a student who is off campus at the time of a school
907 violence emergency because the student is:
- 908 (A) participating in a school-related activity; or
- 909 (B) excused from school for a period of time during the regular school day to
910 participate in religious instruction at the request of the student's parent.
- 911 (c) The state board, through the state superintendent, shall develop comprehensive
912 emergency response plan models that local school boards may use, where
913 appropriate, to comply with Subsection (20)(a).
- 914 (d) A local school board shall, by July 1 of each year, certify to the state board that its

- 915 plan has been practiced at the school level and presented to and reviewed by its
916 teachers, administrators, students, and the student's parents and local law enforcement
917 and public safety representatives.
- 918 (21)(a) A local school board may adopt an emergency response plan for the treatment of
919 sports-related injuries that occur during school sports practices and events.
- 920 (b) The plan may be implemented by each secondary school in the district that has a
921 sports program for students.
- 922 (c) The plan may:
- 923 (i) include emergency personnel, emergency communication, and emergency
924 equipment components;
- 925 (ii) require professional learning on the emergency response plan for school
926 personnel who are involved in sports programs in the district's secondary schools;
927 and
- 928 (iii) provide for coordination with individuals and agency representatives who:
929 (A) are not employees of the school district; and
930 (B) would be involved in providing emergency services to students injured while
931 participating in sports events.
- 932 (d) The local school board, in collaboration with the schools referred to in Subsection
933 (21)(b), may review the plan each year and make revisions when required to improve
934 or enhance the plan.
- 935 (e) The state board, through the state superintendent, shall provide local school boards
936 with an emergency plan response model that local school boards may use to comply
937 with the requirements of this Subsection (21).
- 938 (22)(a) A local school board shall approve an LEA's policies and procedures that an
939 LEA develops to ensure that students have non-electronic notification of and access
940 to:
- 941 (i) school activities and events, including:
- 942 (A) schedule changes;
- 943 (B) extracurricular activities; and
- 944 (C) sporting events; and
- 945 (ii) the emergency response plans described in Subsections (20) and (21).
- 946 (b) Notwithstanding Subsection (22)(a), an LEA may provide electronic notification of
947 and access to school activities and events as described in Subsections (22)(a)(i) and
948 (ii) if:

(i)(A) the school provides each student with an electronic device; and

(B) the electronic device is capable of receiving electronic notification of and access to school activities and events as described in Subsections (22)(a)(i) and (ii); or

(ii) an emergency, unforeseen circumstance, or other incident arises and an LEA cannot reasonably provide timely non-electronic notification.

(c) An LEA may not require the use of a privately owned electronic device to complete course work.

(23) A local school board shall do all other things necessary for the maintenance, prosperity, and success of the schools and the promotion of education.

(24)(a) As used in this subsection, "special enrollment program" means a full-day academic program in which a parent opts to enroll the parent's student and that is offered at a specifically designated school within an LEA, including:

(i) gifted or advanced learning programs; or

(ii) dual language immersion programs.

(b) Before closing a school, changing the boundaries of a school, or changing or closing the location of a special enrollment program, a local school board shall:

(i) at a local school board meeting, make and approve a motion to initiate the notification required under Subsections (24)(b)(ii) through (iv);

(ii) on or before 90 days before the day on which the local school board approves the school closure or at least 30 days before the day on which the local school board approves a school boundary change, provide notice that the local school board is considering the closure or boundary change to:

(A) parents of students enrolled in the school, using the same form of communication the local school board regularly uses to communicate with parents and also by mail, using the United States Postal Service, to the parents at each known address;

(B) parents of students enrolled in other schools within the school district that may be affected by the closure or boundary change, using the same form of communication the local school board regularly uses to communicate with parents and also by mail, using the United States Postal Service, to the parents at each known address; and

(C) the governing council and the mayor of the municipality in which the school is located;

- 983 (iii) provide an opportunity for public comment on the proposed school closure
984 during at least two public local school board meetings;
- 985 (iv) provide an opportunity for public comment on the proposed school boundary
986 change during one public local school board meeting; and
- 987 (v) hold a public hearing as defined in Section 10-20-102 and provide public notice
988 of the public hearing in accordance with Subsection (24)(c).
- 989 (c) A local school board shall:
- 990 (i) ensure that the notice of a public hearing required under Subsection (24)(b)(v)
991 indicates the:
- 992 (A) name of the school or schools under consideration for closure or boundary
993 change; and
- 994 (B) ~~[the]~~date, time, and location of the public hearing;
- 995 (ii) if feasible, hold the public hearing at the location of the school that is under
996 consideration for closure;
- 997 (iii) for at least 10 days before the day on which the public hearing occurs, ~~[publish~~
998 ~~the notice of public hearing occurs,]~~publish the notice of the public hearing for
999 the school district in which the school is located, as a class A notice under Section
1000 63G-30-102; and
- 1001 (iv) at least 30 days before the day on which the public hearing occurs, provide notice
1002 of the public hearing in the same manner as the notice of consideration under
1003 Subsection (24)(b)(ii).
- 1004 (d) A motion made under Subsection (24)(b) shall name each school under consideration
1005 for closure in a separate motion.
- 1006 (e) For a school closure, a local school board shall complete the process described in this
1007 Subsection (24) on or before December 31 of the calendar year preceding the
1008 beginning of the school year in which a school closure takes effect.
- 1009 (f)(i) For a school boundary change, a local school board shall complete the process
1010 described in this Subsection (24) no more than 60 days after the day on which the
1011 local school board votes to approve a school closure.
- 1012 (ii) Parents of students enrolled in a school affected by a boundary change shall have
1013 at least 30 days after the day on which the local school board votes to approve a
1014 school boundary change to request an out of area enrollment request in accordance
1015 with Chapter 6, Part 4, School District Enrollment.
- 1016 (25) A local school board may implement a facility energy efficiency program established

under Title 11, Chapter 44, Performance Efficiency Act.

(26) A local school board may establish or partner with a certified youth court in accordance with Section 80-6-902 or establish or partner with a comparable restorative justice program, in coordination with schools in that district. A school may refer a student to a youth court or a comparable restorative justice program in accordance with Section 53G-8-211.

(27)(a) As used in this Subsection (27):

(i) "Learning material" means any learning material or resource used to deliver or support a student's learning, including textbooks, reading materials, videos, digital materials, websites, and other online applications.

(ii)(A) "Instructional material" means learning material that a local school board adopts and approves for use within the LEA.

(B) "Instructional material" does not include learning material used in a concurrent enrollment, advanced placement, or international baccalaureate program or class or another class with required instructional material that is not subject to selection by the local school board.

(iii) "Supplemental material" means learning material that:

(A) an educator selects for classroom use; and

(B) a local school board has not considered and adopted, approved, or prohibited for classroom use within the LEA.

(b) A local school board shall:

(i) make instructional material that the school district uses readily accessible and available for a parent to view;

(ii) annually notify a parent of a student enrolled in the school district of how to access the information described in Subsection (27)(b)(i); and

(iii) include on the school district's website information about how to access the information described in Subsection (27)(b)(i).

(c) In selecting and approving instructional materials for use in the classroom, a local school board shall:

(i) establish an open process, involving educators and parents of students enrolled in the LEA, to review and recommend instructional materials for board approval; and

(ii) ensure that under the process described in Subsection (27)(c)(i), the board:

(A) before the meetings described in Subsection (27)(c)(ii)(B), posts the recommended learning material online to allow for public review or, for

- 1051 copyrighted material, makes the recommended learning material available at
1052 the LEA for public review;
- 1053 (B) before adopting or approving the recommended instructional materials, holds
1054 at least two public meetings on the recommendation that provides an
1055 opportunity for educators whom the LEA employs and parents of students
1056 enrolled in the LEA to express views and opinions on the recommendation; and
1057 (C) adopts or approves the recommended instructional materials in an open and
1058 regular board meeting.
- 1059 (d) A local school board shall adopt a supplemental materials policy that provides
1060 flexible guidance to educators on the selection of supplemental materials or resources
1061 that an educator reviews and selects for classroom use using the educator's
1062 professional judgment, including whether any process or permission is required
1063 before classroom use of the materials or resources.
- 1064 (e) If an LEA contracts with another party to provide online or digital materials, the
1065 LEA shall include in the contract a requirement that the provider give notice to the
1066 LEA any time that the provider makes a material change to the content of the online
1067 or digital materials, excluding regular informational updates on current events.
- 1068 (f) Nothing in this Subsection (27) requires a local school board to review all learning
1069 materials used within the LEA.
- 1070 (28) If information, data, or action from a school district is necessary for the state board to
1071 fulfill a statutory data gathering, compliance, or reporting requirement, a local school
1072 board shall provide the relevant information, data, or action, subject to enforcement
1073 under Section 53E-3-401.
- 1074 Section 11. Section **53G-5-404** is amended to read:
1075 **53G-5-404 . Requirements for charter schools.**
- 1076 (1) A charter school shall be nonsectarian in the charter school's programs, admission
1077 policies, employment practices, and operations.
- 1078 (2) A charter school may not charge tuition or fees, except those fees normally charged by
1079 other public schools.
- 1080 (3) A charter school shall meet all applicable federal, state, and local health, safety, and
1081 civil rights requirements.
- 1082 (4)(a) A charter school shall:
1083 (i) make the same annual reports required of other public schools under this public
1084 education code, including an annual financial audit report described in Section

53G-4-404;

(ii) ensure that the charter school meets the data and reporting standards described in Section 53E-3-501; [and]

(iii) beginning July 1, 2031, ensure the charter school properly uses the statewide student information system established under Section 53E-3-527 or an LEA-maintained system that meets the requirements of Section 53E-3-528; and

~~[(iii)]~~ (iv) use fund and program accounting methods and standardized account codes capable of producing financial reports that comply with:

(A) generally accepted accounting principles;

(B) the financial reporting requirements applicable to LEAs established by the state board under Section 53E-3-501; and

(C) accounting report standards established by the state auditor as described in Section 51-2a-301.

(b) Before, and as a condition for opening a charter school:

(i) a charter school shall:

(A) certify to the authorizer that the charter school's accounting methods meet the requirements described in Subsection ~~[(4)(a)(iii)]~~ (4)(a)(iv); or

(B) if the authorizer requires, conduct a performance demonstration to verify that the charter school's accounting methods meet the requirements described in Subsection ~~[(4)(a)(iii)]~~ (4)(a)(iv); and

(ii) the authorizer shall certify to the state board that the charter school's accounting methods meet the requirements described in Subsection ~~[(4)(a)(iii)]~~ (4)(a)(iv).

(c) A charter school shall file the charter school's annual financial audit report with the Office of the State Auditor within six months of the end of the fiscal year.

(d) For the limited purpose of compliance with federal and state law governing use of public education funds, including restricted funds, and making annual financial audit reports under this section, a charter school is a government entity governed by the public education code.

(5)(a) A charter school shall be accountable to the charter school's authorizer for performance as provided in the charter school's charter agreement.

(b) To measure the performance of a charter school, an authorizer may use data contained in:

(i) the charter school's annual financial audit report;

(ii) a report submitted by the charter school as required by statute; or

- 1119 (iii) a report submitted by the charter school as required by the charter school's
1120 charter agreement.
- 1121 (c) A charter school authorizer may not impose performance standards, except as
1122 permitted by statute, that limit, infringe, or prohibit a charter school's ability to
1123 successfully accomplish the purposes of charter schools as provided in Section
1124 53G-5-104 or as otherwise provided in law.
- 1125 (6) A charter school may not advocate unlawful behavior.
- 1126 (7) Except as provided in Section 53G-5-305, a charter school shall be organized and
1127 managed in accordance with Title 16, Chapter 6a, Utah Revised Nonprofit Corporation
1128 Act, upon the charter school's authorization.
- 1129 (8) A charter school shall provide adequate liability and other appropriate insurance,
1130 including:
- 1131 (a) general liability, errors and omissions, and directors and officers liability coverage
1132 through completion of the closure of a charter school in accordance with Section
1133 53G-5-504; and
- 1134 (b) tail coverage or closeout insurance covering at least one year after closure of the
1135 charter school.
- 1136 (9) A charter school may not employ an educator whose license is suspended or revoked by
1137 the state board under Section 53E-6-604.
- 1138 (10)(a) Each charter school shall register and maintain the charter school's registration as
1139 a limited purpose entity, in accordance with Section 67-1a-15.
- 1140 (b) A charter school that fails to comply with Subsection (10)(a) or Section 67-1a-15 is
1141 subject to enforcement by the state auditor, in accordance with Section 67-3-1.
- 1142 (c) If a charter school is an operating charter school with affiliated satellite charter
1143 schools, as defined in Section 53G-5-303:
- 1144 (i) the operating charter school shall register as a limited purpose entity as defined in
1145 Section 67-1a-15;
- 1146 (ii) each affiliated satellite charter school is not required to register separately from
1147 the operating charter school; and
- 1148 (iii) the operating charter school shall:
- 1149 (A) register on behalf of each affiliated satellite charter school; and
- 1150 (B) when submitting entity registry information in accordance with Section
1151 67-1a-15 on behalf of each affiliated satellite charter school, identify and
1152 distinguish registry information for each affiliated satellite, including the

address of each affiliated satellite charter school and the name and contact information of a primary contact for each affiliated satellite charter school.

(11)(a) As used in this Subsection (11), "contracting entity" means a person with which a charter school contracts.

(b) A charter school shall provide to the charter school's authorizer any information or documents requested by the authorizer, including documents held by a subsidiary of the charter school or a contracting entity:

(i) to confirm the charter school's compliance with state or federal law governing the charter school's finances or governance; or

(ii) to carry out the authorizer's statutory obligations, including liquidation and assignment of assets, and payment of debt in accordance with state board rule, as described in Section 53G-5-504.

(c) A charter school shall comply with a request described in Subsection (11)(b), including after an authorizer recommends closure of the charter school or terminates the charter school's contract.

(d) Documents held by a contracting entity or subsidiary of a charter school that are necessary to demonstrate the charter school's compliance with state or federal law are the property of the charter school.

(e) A charter school shall include in an agreement with a subsidiary of the charter school or a contracting entity a provision that stipulates that documents held by the subsidiary or a contracting entity, that are necessary to demonstrate the charter school's financial compliance with federal or state law, are the property of the charter school.

(12) For each grading period and for each course in which a student is enrolled, a charter school shall issue a grade or performance report to the student:

(a) that reflects the student's work, including the student's progress based on mastery, for the grading period; and

(b) in accordance with the charter school's adopted grading or performance standards and criteria.

(13)(a) As used in this Subsection (13):

(i) "Learning material" means any learning material or resource used to deliver or support a student's learning, including textbooks, reading materials, videos, digital materials, websites, and other online applications.

(ii)(A) "Instructional material" means learning material that a charter school

governing board adopts and approves for use within the charter school.

(B) "Instructional material" does not include learning material used in a concurrent enrollment, advanced placement, or international baccalaureate program or class, or another class with required instructional material that is not subject to selection by the charter school governing board.

(iii) "Supplemental material" means learning material that:

(A) an educator selects for classroom use; and

(B) a charter school governing board has not considered and adopted, approved, or prohibited for classroom use within the charter school.

(b) A charter school shall:

(i) make instructional material that the charter school uses readily accessible and available for a parent to view;

(ii) annually notify a parent of a student enrolled in the charter school of how to access the information described in Subsection (13)(b)(i); and

(iii) include on the charter school's website information about how to access the information described in Subsection (13)(b)(i).

(c) In selecting and approving instructional materials for use in the classroom, a charter school governing board shall:

(i) establish an open process, involving educators and parents of students enrolled in the charter school, to review and recommend instructional materials for board approval; and

(ii) ensure that under the process described in Subsection (13)(c)(i), the charter school governing board:

(A) before the public meetings described in Subsection (13)(c)(ii)(B), posts the recommended learning materials online to allow for public review or, for copyrighted material, makes the recommended learning material available at the charter school for public review;

(B) before adopting or approving the recommended instructional materials, holds at least two public meetings on the recommendation that provide an opportunity for educators whom the charter school employs and parents of students enrolled in the charter school to express views and opinions on the recommendation; and

(C) adopts or approves the recommended instructional materials in an open and regular board meeting.

(d) A charter school governing board shall adopt a supplemental materials policy that provides flexible guidance to educators on the selection of supplemental materials or resources that an educator reviews and selects for classroom use using the educator's professional judgment, including whether any process or permission is required before classroom use of the materials or resources.

(e) If a charter school contracts with another party to provide online or digital materials, the charter school shall include in the contract a requirement that the provider give notice to the charter school any time that the provider makes a material change to the content of the online or digital materials, excluding regular informational updates on current events.

(f) Nothing in this Subsection (13) requires a charter school governing board to review all learning materials used within the charter school.

(14) If information, data, or action from a charter school is necessary for the state board to fulfill a statutory data gathering, compliance, or reporting requirement, a local school board shall provide the relevant information, data, or action, subject to enforcement under Section 53E-3-401.

Section 12. **Effective Date.**

This bill takes effect on May 6, 2026.